

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DEBRA ANN FERNANDEZ,

Plaintiff,

v.

H.S.U. (Health Professions, LTD),
OUTAGAMIE COUNTY JAIL,
Jail Administrator KIESER,
Sheriff BRADLEY G. GEHRING,
and N.P. SHELBY,

Respondents.

ORDER

10-cv-339-wmc

In response to an order entered in this case on June 30, 2010, plaintiff has submitted supplemental trust fund account statements covering the six-month period immediately preceding the filing of the complaint. From these statements, I conclude that plaintiff has the means to prepay a portion of the filing fee in the amount of \$9.72. Plaintiff is reminded that this is just the first step in obtaining leave to proceed *in forma pauperis* under 28 U.S.C. § 1915. After she sends in the payment, the court will review her complaint to decide whether to grant plaintiff leave to proceed on it. Leave will not be granted if the action must be dismissed as malicious or legally “frivolous,” a term that means that the complaint does not allege a claim of any kind. Leave can be denied also if the complaint does not state a claim on which plaintiff could obtain relief under the law or if plaintiff is asking for money

from a defendant who is legally protected from having to pay money in her case. Plaintiff should show a copy of this order to institution officials to make sure they know they should send plaintiff's partial filing fee to this court.

ORDER

IT IS ORDERED that plaintiff qualifies for pauper status on the condition that she prepay \$9.72 of the \$350 filing fee. She is to submit a check or money order made payable to the clerk of court in that amount on or before August 10, 2010. If, by August 10, 2010, plaintiff fails to prepay the amount she has been ordered to pay, her complaint will be dismissed for failure to prosecute it.

Entered this 20th day of July, 2010.

BY THE COURT:


PETER OPPENEER
Magistrate Judge